

FILED

AUG - 3 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 Bingham McCutchen LLP
DAVID M. BALABANIAN (SBN 37368)
2 CHRISTOPHER B. HOCKETT (SBN 121539)
JOY K. FUYUNO (SBN 193890)
3 Three Embarcadero Center
San Francisco, CA 94111-4067
4 Telephone: (415) 393-2000
Facsimile: (415) 393-2286

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6 Attorneys for Defendant
Intel Corporation

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
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12 LAZIO FAMILY PRODUCTS, a sole
proprietorship located in Eureka, California, on
13 behalf of itself and all others similarly situated
14 Plaintiff,
15 v.
16 INTEL CORPORATION, a Delaware
corporation,
17 Defendant.
18

No. C-05-2859-MHP

STIPULATION AND [PROPOSED]
ORDER TO CONTINUE FILING DATE
FOR DEFENDANT'S RESPONSE TO
PLAINTIFF'S COMPLAINT

19 IT IS STIPULATED BY AND BETWEEN THE PARTIES, THROUGH THEIR
20 COUNSEL AS FOLLOWS:

21 Pursuant to Civil Local Rule 6-2, Plaintiff Lazio Family Products and Defendant
22 Intel Corporation hereby stipulate that Intel Corporation's response to Plaintiff's complaint shall
23 be due either 60 days after transfer of the above captioned case pursuant to any motion to
24 coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section 1407 or, in the alternative,
25 45 days after any such motion has been denied. The parties request this extension of time to
26 answer or otherwise respond because the plaintiffs in *Brauch, et al. v. Intel Corp.*, No. C 05-2743

STIPULATION AND [PROPOSED] ORDER TO CONTINUE RESPONSE DATE

1 (BZ) (N.D. Cal., filed July 5, 2005), a related matter, have filed a petition to coordinate or
2 consolidate pre-trial proceedings per 28 U.S.C. Section 1407, and the above-styled action has
3 been identified as a related action to that petition. As a result the outcome of the pending
4 petition will impact significantly the schedule of this case.

5 This is the first stipulation between the parties. Because this litigation has just
6 begun, granting such a stipulation will not have any negative impact on the schedule of this case.

7 IT IS HEREBY STIPULATED.
8 DATED: July ____, 2005

9 Bingham McCutchen LLP

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By: _____
JOY K. FUYUNO
Attorneys for Defendant
Intel Corporation

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14 DATED: July ____, 2005

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The Furth Firm LLP

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By: _____
ALEX C. TURAN
Attorneys for Plaintiff
Lazio Family Products

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[PROPOSED] ORDER TO CONTINUE DEFENDANT'S RESPONSE DATE

IT IS HEREBY ORDERED that Defendant Intel Corporation's response to Plaintiff's complaint shall be due either 60 days after transfer of the above captioned case pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section 1407, or, in the alternative, 45 days after any such motion has been denied.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 8/2, 2005


Honorable Marilyn Hall Patel
United States District Judge